



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Secretary for
Environmental
Protection

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Arnold
Schwarzenegger
Governor

In reply, refer to:
WPS:MGP:18-2004152.02

November 19, 2007

Mr. Allen Kashani
Pardee Homes
12626 High Bluff Drive
Suite 100
San Diego, CA 92130

WDID 9 000001650
CIWQS:
Party No. 35134
Place No. 641282
Reg. Measure. No. 310828

**RE: SHAW LORENZ (04C-152)
401 WATER QUALITY CERTIFICATION AMENDMENT**

Dear Mr. Kashani:

The California Regional Water Quality Control Board San Diego Region (Regional Board) is amending the Shaw Lorenz project 401 Water Quality Certification (Certification No. 04C-152). This amendment has been requested by you to reflect a revised, proposed project with less impacts to waters of the U.S., less impacts to waters of the State (depression features, vernal road pools, or vernal swales), and the proposed increase of vernal pool mitigation. The amendment request was received via email from David Moskovitz, Glen Lukos Associates on November 13, 2007. Changes to the Certification are shown in strikeout and underline fonts below.

ADDITIONAL CONDITIONS

C. MITIGATION

2. Compensatory mitigation for impacts to 0.06 acre of waters of the State (vernal road pools) shall consist of the ~~1:1~~ 2:1 creation of ~~0.06~~ 0.12 acre of vernal pools within the Shaw Lorenz development. Mitigation shall be implemented as described in the *Final Shaw Lorenz Vernal Pool Restoration and Enhancement Plan* (~~dated September 1, 2006~~ revised November 8, 2007) prepared by RECON.

California Environmental Protection Agency

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**ATTACHMENT 1
PROJECT INFORMATION**

Impacted Waters of the United States:	The proposed project will permanently impact (fill) 0.236 <u>0.231</u> acre (5334 <u>5175</u> linear feet) of unvegetated and 0.012 acre (255 linear feet) of vegetated waters of the U.S.
Impacted Waters of the State:	The proposed project will discharge waste (fill) to 0.06 <u>0.0591</u> acre (2555 <u>2515</u> feet ²) waters of the State (vernal road pools).
Compensatory Mitigation:	<p>Compensatory mitigation for impacts to waters of the U.S. from the Shaw Lorenz project is proposed as the 2.02:1 <u>2.06:1</u> creation/restoration of 0.50 acre within the Pacific Highlands Ranch (PHR) mitigation area in McGonigle Canyon. The Implementation Report for Wetland Restoration Activities, Pacific Highlands Ranch – Subarea III, San Diego, California prepared by RECON (dated September 7, 2004) identified the overall creation of 21.56 acres of wetland and non-wetland waters of the U.S. at the PHR property. The U.S. Army Corps of Engineers (Corps) has acknowledged that 1.5 acres of excess mitigation was created, and that Pardee Homes has chosen to use part of that excess as mitigation for other development projects, including 0.50 acre of wetlands for the Shaw Lorenz project.</p> <p>Compensatory mitigation for impacts to water of the State (vernal road pools) from the Shaw Lorenz project is proposed as the 4:1 <u>2.03:1</u> creation of 0.06 <u>0.12</u> acre (255 <u>5227</u> feet²) of onsite vernal pools. Vernal pool creation, maintenance and monitoring is described in the Final Shaw-Lorenz Vernal Pool Restoration and Enhancement Plan prepared by RECON (dated September 1, 2006 <u>revised November 8, 2007</u>).</p>

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter. If you have any questions

Mr. Allen Kashani, Pardee Homes
401 Certification No. 04C-152

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regarding this notification, please contact Mike Porter directly at (858) 467-2726 or by email mporter@waterboards.ca.gov.

Respectfully,



John H. Robertus
Executive Officer
San Diego Regional Water Quality Control Board

cc: Ms. Kari Coler
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Ms. Elizabeth Goldmann (via e-mail)
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Mr. David Moskovitz
Glen Lukos Associates
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State Water Resources Control Board
Division of Water Quality
401 Water Quality Certification and Wetlands Unit

California Environmental Protection Agency

Mr. Allen Kashani, Pardee Homes
401 Certification No. 04C-152

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